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FILED
DISTRICT COURT OF GUAM

DEC - 5 2006 *[Signature]*

MARY L.M. MORAN
CLERK OF COURT

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15 IN THE UNITED STATES DISTRICT COURT

16 DISTRICT OF GUAM

17 NANYA TECHNOLOGY CORP.,

CIVIL CASE NO. 06-CV-00025

18 Plaintiff,

19 -v-

20 FUJITSU LIMITED, FUJITSU
21 MICROELECTRONICS AMERICA, INC.,

FUJITSU MICROELECTRONICS
AMERICA, INC.S MOTION FOR
LEAVE TO FILE PORTABLE
DOCUMENT FORMAT ("PDF") AND
FACSIMILES COPIES PENDING
RECEIPT OF ORIGINAL

22 Defendants.

[NO ORAL ARGUMENT REQUESTED]

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NOW COMES Defendant Fujitsu Microelectronics America, Inc.¹ ("FMA") and respectfully moves this Honorable Court for leave to file herewith PDF and/or facsimile copies of the following document pending receipt of the original:

1) MICHAEL M. MOORE DECLARATION IN SUPPORT OF FUJITSU MICROELECTRONICS AMERICA, INC.'S MOTION TO DISMISS OR TRANSFER TO THE NORTHERN DISTRICT OF CALIFORNIA AND FOR A MORE DEFINITE STATEMENT

This motion is made pursuant to GR 5.1(a) of the Local Rules of Practice for the District Court of Guam. FMA seeks leave to file the copies pending receipt of the originals on the ground that the signatory is not a resident of Guam, and it was not possible in the time available to transmit the originals to Guam for filing. The original documents are being sent to counsel, and will be filed with the Court upon receipt. Pending receipt of the originals, FMA therefore requests leave to file pdf and/or facsimile copies, which are being filed herewith.

Respectfully submitted this 5th day of December, 2006.

**CALVO & CLARK, LLP
MILBANK, TWEED, HADLEY
& MCCLOY LLP**

Attorneys for Defendant
~~Fujitsu Microelectronics America, Inc.~~

By:

DANIEL M. BENJAMIN

¹ In filing this necessary procedural motion, FMA does not in any way consent to personal jurisdiction over it in this matter, and respectfully reserves the right to raise that issue (and others as permitted under Fed. R. Civ. Proc. 12) in its first responsive pleading.